

# EXHIBIT 1

## ALABAMA SJIS CASE DETAIL

PREPARED FOR: LINDA HAWKINS



County: 31 Case Number: CV-2017-900195.00 Court Action:  
 Style: DAVID SUMNERS V. METROPOLITAN LIFE INSURANCE COMPANY

Real Time

## Case

## Case Information

County: 31-ETOWAH	Case Number: CV-2017-900195.00	Judge: DAK:DAVID A KIMBERLEY
Style: DAVID SUMNERS V. METROPOLITAN LIFE INSURANCE COMPANY		
Filed: 03/08/2017	Case Status: ACTIVE	Case Type: CONTRACT/EJMN/SEIZU
Trial Type: BENCH	Track:	Appellate Case: 0
No of Plaintiffs: 1	No of Defendants: 1	

## Damages

Damage Amt: 0.00	Punitive Damages: 0.00	General Damages: 0.00
No Damages:	Compensatory Damages: 0.00	
Pay To:	Payment Frequency:	Cost Paid By:

## Court Action

Court Action Code:	Court Action Desc:	Court Action Date:
Num of Trial days: 0	Num of Liens: 0	Judgment For:
Disposition Date of Appeal:	Disposition Judge: :	Disposition Type:
Revised Judgement Date:	Minstral:	Appeal Date:
Date Trial Began but No Verdict (TBNV1):		
Date Trial Began but No Verdict (TBNV2):		

## Comments

Comment 1:  
 Comment 2:

## Appeal Information

Appeal Date:	Appeal Case Number:	Appeal Court:
Appeal Status:	Orgin Of Appeal:	
Appeal To:	Appeal To Desc:	LowerCourt Appeal Date:
Disposition Date Of Appeal:	Disposition Type Of Appeal:	

## Administrative Information

Transfer to Admin Doc Date:	Transfer Reason:	Transfer Desc:
Number of Subpoenas:	Last Update: 03/08/2017	Updated By: AJA

## Parties

## Party 1 - Plaintiff INDIVIDUAL - SUMNERS DAVID

## Party Information

Party: C001-Plaintiff	Name: SUMNERS DAVID	Type: I-INDIVIDUAL
Index: D METROPOLITAN	Alt Name:	Hardship: No JID: DAK
Address 1: 330 TANT MUCH DAM ROAD		Phone: (256) 000-0000

Address 2:		City: ALBERTVILLE	State: AL	Zip: 35950-0000	Country: US
SSN: XXX-XX-X999		DOB:	Sex:	Race:	
<b>Court Action</b>					
Court Action:			Court Action Date:		
Amount of Judgement: \$0.00		Court Action For:	Exemptions:		
Cost Against Party: \$0.00		Other Cost: \$0.00	Date Satisfied:		
Comment:		Arrest Date:			
Warrant Action Date:		Status Description:			
<b>Service Information</b>					
Issued:	Issued Type:	Reissue:	Reissue Type:		
Return:	Return Type:	Return:	Return Type:		
Served:	Service Type	Service On:	Served By:		
Answer:	Answer Type:	Notice of No Service:	Notice of No Answer:		
<b>Attorneys</b>					
Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	ALL016		ALLENSTEIN MYRON KAY	MYRON@ALLENSTEIN.COM	(256) 546-6314
<b>Party 2 - Defendant BUSINESS - METROPOLITAN LIFE INSURANCE COMPANY</b>					
<b>Party Information</b>					
Party:	D001-Defendant	Name:	METROPOLITAN LIFE INSURANCE COMPANY	Type:	B-BUSINESS
Index:	C SUMNERS DAVI	Alt Name:		Hardship:	No JID: DAK
Address 1:	2 NORTH JACKSON STREET			Phone:	(256) 000-0000
Address 2:	SUITE 605				
City:	MONTGOMERY	State:	AL	Zip:	36104-0000
SSN:	XXX-XX-X999	DOB:		Country:	US
Sex:				Race:	
<b>Court Action</b>					
Court Action:			Court Action Date:		
Amount of Judgement: \$0.00		Court Action For:	Exemptions:		
Cost Against Party: \$0.00		Other Cost: \$0.00	Date Satisfied:		
Comment:		Arrest Date:			
Warrant Action Date:		Status Description:			
<b>Service Information</b>					
Issued:	03/08/2017	Issued Type:	C-CERTIFIED MAIL	Reissue:	Reissue Type:
Return:		Return Type:		Return:	Return Type:
Served:	03/13/2017	Service Type	C-CERTIFIED MAIL	Service On:	Served By:
Answer:		Answer Type:		Notice of No Service:	Notice of No Answer:

Attorneys				Email			Phone								
Number	Attorney Code	Type of Counsel	Name												
Attorney 1	000000	PRO SE													
Financial															
Fee Sheet															
Fee Status	Admin Fee	Fee Code	Payor	Payee	Amount Due	Amount Paid	Balance	Amount Hold	Garnish Party						
ACTIVE	N	AOCC	C001	000	\$6.77	\$6.77	\$0.00	\$0.00 0							
ACTIVE	N	CONV	C001	000	\$0.00	\$10.11	\$0.00	\$0.00 0							
ACTIVE	N	CV00	C001	000	\$201.00	\$201.00	\$0.00	\$0.00 0							
ACTIVE	N	VADM	C001	000	\$45.00	\$45.00	\$0.00	\$0.00 0							
				Total:	\$252.77	\$262.88	-\$10.11	\$0.00							
Financial History															
Transaction Date	Description	Disbursement Account	Transaction Batch	Receipt Number	Amount	From Party	To Party	Money Type	Admin Fee	Reason	Attorney	Operator			
03/08/2017	CREDIT	CONV	2017109	1728020	\$10.11	C001	000		N		ERS				
03/08/2017	RECEIPT	AOCC	2017109	1728010	\$6.77	C001	000		N		ERS				
03/08/2017	RECEIPT	CV00	2017109	1728030	\$201.00	C001	000		N		ERS				
03/08/2017	RECEIPT	VADM	2017109	1728040	\$45.00	C001	000		N		ERS				
Case Action Summary															
Date:	Time	Code	Comments									Operator			
3/8/2017	3:40 PM	ECOMP	COMPLAINT E-FILED.									ALL016			
3/8/2017	3:41 PM	FILE	FILED THIS DATE: 03/08/2017 (AV01)									AJA			
3/8/2017	3:41 PM	ASSJ	ASSIGNED TO JUDGE: DAVID A KIMBERLEY (AV01)									AJA			
3/8/2017	3:41 PM	SCAN	CASE SCANNED STATUS SET TO: N (AV01)									AJA			
3/8/2017	3:41 PM	EORD	E-ORDER FLAG SET TO "Y" (AV01)									AJA			
3/8/2017	3:41 PM	TDMN	BENCH/NON-JURY TRIAL REQUESTED (AV01)									AJA			
3/8/2017	3:41 PM	ORIG	ORIGIN: INITIAL FILING (AV01)									AJA			
3/8/2017	3:41 PM	EXPD	EXPEDITED STATUS DENIED (AV01)									AJA			
3/8/2017	3:41 PM	STAT	CASE ASSIGNED STATUS OF: ACTIVE (AV01)									AJA			
3/8/2017	3:41 PM	C001	C001 PARTY ADDED: SUMNERS DAVID (AV02)									AJA			
3/8/2017	3:41 PM	C001	INDIGENT FLAG SET TO: N (AV02)									AJA			
3/8/2017	3:41 PM	C001	LISTED AS ATTORNEY FOR C001: ALLENSTEIN MYRON KAY									AJA			
3/8/2017	3:41 PM	C001	C001 E-ORDER FLAG SET TO "N" (AV02)									AJA			
3/8/2017	3:41 PM	D001	D001 PARTY ADDED: METROPOLITAN LIFE INSURANCE COMP									AJA			
3/8/2017	3:41 PM	D001	INDIGENT FLAG SET TO: N (AV02)									AJA			
3/8/2017	3:41 PM	D001	LISTED AS ATTORNEY FOR D001: PRO SE (AV02)									AJA			
3/8/2017	3:41 PM	D001	CERTIFIED MAI ISSUED: 03/08/2017 TO D001 (AV02)									AJA			
3/8/2017	3:41 PM	D001	D001 E-ORDER FLAG SET TO "N" (AV02)									AJA			
3/9/2017	9:14 AM	ESCAN	SCAN - FILED 3/9/2017 - CERTIFIED MAIL									ERS			
3/10/2017	9:39 AM	C001	CASE ACTION SUMMARY PRINTED (AV02)									PAP			
3/17/2017	12:26 PM	ESERC	SERVICE RETURN									PAM			
3/17/2017	12:26 PM	D001	SERVICE OF CERTIFIED MAI ON 03/13/2017 FOR D001									PAP			

 END OF THE REPORT

## DOCUMENT 1



ELECTRONICALLY FILED  
3/8/2017 3:40 PM  
31-CV-2017-900195.00  
CIRCUIT COURT OF  
ETOWAH COUNTY, ALABAMA  
CASSANDRA JOHNSON, CLERK

State of Alabama  
Unified Judicial System  
Form ARCCiv-93 Rev.5/99

**COVER SHEET  
CIRCUIT COURT - CIVIL CASE**  
(Not For Domestic Relations Cases)

Ca:  
31

Date of Filing: 03/08/2017 Judge Code:

**GENERAL INFORMATION**

**IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA  
DAVID SUMMERS v. METROPOLITAN LIFE INSURANCE COMPANY**

First Plaintiff:  Business  Individual  
 Government  Other

First Defendant:  Business  Individual  
 Government  Other

**NATURE OF SUIT:** Select primary cause of action, by checking box (check only one) that best characterizes your action:

**TORTS: PERSONAL INJURY**

- WDEA - Wrongful Death
- TONG - Negligence: General
- TOMV - Negligence: Motor Vehicle
- TOWA - Wantonness
- TOPL - Product Liability/AEMLD
- TOMM - Malpractice-Medical
- TOLM - Malpractice-Legal
- TOOM - Malpractice-Other
- TBFM - Fraud/Bad Faith/Misrepresentation
- TOXX - Other: \_\_\_\_\_

**TORTS: PERSONAL INJURY**

- TOPE - Personal Property
- TORE - Real Property

**OTHER CIVIL FILINGS**

- ABAN - Abandoned Automobile
- ACCT - Account & Nonmortgage
- APAA - Administrative Agency Appeal
- ADPA - Administrative Procedure Act
- ANPS - Adults in Need of Protective Service

**OTHER CIVIL FILINGS (cont'd)**

- MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
- CVRT - Civil Rights
- COND - Condemnation/Eminent Domain/Right-of-Way
- CTMP - Contempt of Court
- CONT - Contract/Ejectment/Writ of Seizure
- TOCN - Conversion
- EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
- CVUD - Eviction Appeal/Unlawful Detainer
- FORJ - Foreign Judgment
- FORF - Fruits of Crime Forfeiture
- MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
- PFAB - Protection From Abuse
- FELA - Railroad/Seaman (FELA)
- RPRO - Real Property
- WTEG - Will/Trust/Estate/Guardianship/Conservatorship
- COMP - Workers' Compensation
- CVXX - Miscellaneous Circuit Civil Case

ORIGIN: F  INITIAL FILING

A  APPEAL FROM  
DISTRICT COURT

O  OTHER

R  REMANDED

T  TRANSFERRED FROM  
OTHER CIRCUIT COURT

HAS JURY TRIAL BEEN DEMANDED?  YES  NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

RELIEF REQUESTED:  MONETARY AWARD REQUESTED  NO MONETARY AWARD REQUESTED

ATTORNEY CODE:

ALL016

3/8/2017 3:40:11 PM

Date

/s/ MYRON KAY ALLENSTEIN

Signature of Attorney/Party filing this form

MEDIATION REQUESTED:

YES  NO  UNDECIDED

DOCUMENT 2



ELECTRONICALLY FILED  
3/8/2017 3:40 PM  
31-CV-2017-900195.00  
CIRCUIT COURT OF  
ETOWAH COUNTY, ALABAMA  
CASSANDRA JOHNSON, CLERK

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

DAVID SUMNERS,

\*

Plaintiff,

\*

v.

\*

METROPOLITAN LIFE INSURANCE CO.,

\*

Defendant

\*

\* Case Number: \_\_\_\_\_

**COMPLAINT**

**Count I – LTD Benefits**

1. Plaintiff, age 56, has long term disability protection by an insurance contract with Metropolitan Life Insurance Company through his employment with Metropolitan Life Insurance Company which pays benefits if he becomes disabled.

2. Plaintiff is disabled and entitled to long term disability benefits from Metropolitan Life Insurance Company.

3. Plaintiff applied for long term disability benefits which were denied on March 11, 2016.

4. Defendant issued a final denial on February 2, 2017.

5. Plaintiff has exhausted all administrative remedies.

6. This claim is pursuant to 29 U.S.C. §1132.

WHEREFORE, Plaintiff prays for appropriate equitable relief including benefits, attorney fees and costs which are less than \$30,000.

MYRON K. ALLENSTEIN (ALL016)  
ROSE MARIE ALLENSTEIN (ALL060)  
ALLENSTEIN & ALLENSTEIN, LLC  
Attorneys for Plaintiff  
141 South 9<sup>th</sup> Street  
Gadsden, AL 35901  
(256) 546-6314  
(256) 547-7648 (fax)  
myron@allenstein.com  
rose@allenstein.com



AlaFile E-Notice

31-CV-2017-900195.00

To: MYRON KAY ALLENSTEIN  
myron@allenstein.com

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

DAVID SUMNERS V. METROPOLITAN LIFE INSURANCE COMPANY  
31-CV-2017-900195.00

The following complaint was FILED on 3/8/2017 3:40:33 PM

Notice Date: 3/8/2017 3:40:33 PM

CASSANDRA JOHNSON  
CIRCUIT COURT CLERK  
ETOWAH COUNTY, ALABAMA  
801 FORREST AVENUE  
SUITE 202  
GADSDEN, AL, 35901

256-549-2150



AlaFile E-Notice

31-CV-2017-900195.00

To: METROPOLITAN LIFE INSURANCE COMPANY  
2 NORTH JACKSON STREET  
SUITE 605  
MONTGOMERY, AL, 36104

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

DAVID SUMNERS V. METROPOLITAN LIFE INSURANCE COMPANY  
31-CV-2017-900195.00

The following complaint was FILED on 3/8/2017 3:40:33 PM

Notice Date: 3/8/2017 3:40:33 PM

CASSANDRA JOHNSON  
CIRCUIT COURT CLERK  
ETOWAH COUNTY, ALABAMA  
801 FORREST AVENUE  
SUITE 202  
GADSDEN, AL, 35901

256-549-2150

State of Alabama Unified Judicial System  Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 31-CV-2017-900195.00
<p>IN THE CIRCUIT COURT OF ETOWAH COUNTY DAVID SUMNERS V. METROPOLITAN LIFE INSURANCE COMPANY</p> <p>METROPOLITAN LIFE INSURANCE COMPANY, 2 NORTH JACKSON STREET SUITE 605, MONTGOMERY, AL 36104</p>		
<p>NOTICE TO _____</p> <p>THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY <u>MYRON KAY ALLENSTEIN</u></p> <p>WHOSE ADDRESS IS <u>141 S. 9TH STREET, GADSDEN, AL 35901</u></p> <p>THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.</p> <p>TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:</p> <p><input type="checkbox"/> You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant</p> <p><input checked="" type="checkbox"/> Service by certified mail of this summons is initiated upon the written request of <u>DAVID SUMNERS</u> pursuant to the Alabama Rules of the Civil Procedure</p> <p>Date <u>3/8/2017 3:40:33 PM</u> <u>/s/ CASSANDRA JOHNSON</u> Clerk/Register 801 FORREST AVENUE SUITE 202 GADSDEN, AL 35901</p> <p><input checked="" type="checkbox"/> Certified Mail is hereby requested <u>/s/ MYRON KAY ALLENSTEIN</u> Plaintiff's/Attorney's Signature</p> <p>RETURN ON SERVICE:</p> <p><input type="checkbox"/> Return receipt of certified mail received in this office on _____</p> <p><input type="checkbox"/> I certify that I personally delivered a copy of the Summons and Complaint to _____ _____ in _____ County, Alabama on _____ (Date)</p> <p>Date _____ Server's Signature _____ Address of Server _____ _____ Type of Server _____ Server's Printed Name _____ _____ _____ Phone Number of Server _____</p>		

## DOCUMENT 5



## NOTICE TO CLERK

REQUIREMENTS FOR COMPLETING SERVICE BY  
CERTIFIED MAIL OR FIRST CLASS MAIL

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA  
DAVID SUMNERS V. METROPOLITAN LIFE INSURANCE COMPANY

31-CV-2017-900195.00

To: CLERK ETOWAH  
clerk.etowah@alacourt.gov

TOTAL POSTAGE PAID: \$6.77

**Parties to be served by Certified Mail - Return Receipt Requested**

METROPOLITAN LIFE INSURANCE COMPANY  
2 NORTH JACKSON STREET  
SUITE 605  
MONTGOMERY, AL 36104

Postage: \$6.77

Parties to be served by Certified Mail - Restricted Delivery - Return Receipt Requested

**Parties to be served by First Class Mail**

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To

Street, Apt. No.  
or PO Box No.

City, State, ZIP+4

See Reverse for Instructions



AlaFile E-Notice

31-CV-2017-900195.00

Judge: DAVID A KIMBERLEY

To: ALLENSTEIN MYRON KAY  
myron@allenstein.com

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## NOTICE OF SERVICE

---

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

DAVID SUMNERS V. METROPOLITAN LIFE INSURANCE COMPANY  
31-CV-2017-900195.00

The following matter was served on 3/13/2017

**D001 METROPOLITAN LIFE INSURANCE COMPANY**  
Corresponding To  
CERTIFIED MAIL

CASSANDRA JOHNSON  
CIRCUIT COURT CLERK  
ETOWAH COUNTY, ALABAMA  
801 FORREST AVENUE  
SUITE 202  
GADSDEN, AL, 35901

256-549-2150

DOCUMENT 6

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits

## COMPLETE THIS SECTION ON DELIVERY

Adult Signature

X *DALE**Parry*

Agent  
 Addressee

B. Received by (Printed Name)

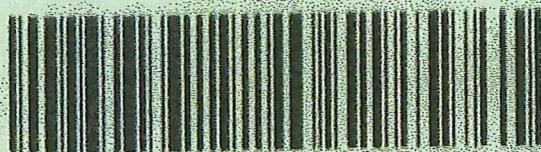
C. Date of Delivery  
*3.13.19*

Address different from item 1?  Yes  
 No  
*Delivery address below:*

*FIELD**MAR 17 2017*

CASSANDRA "SAM" JOHNSON

CIRCUIT COURT CLERK



9590 9402 2419 6249 2236 57

2 Article Number (Transfer from service label)

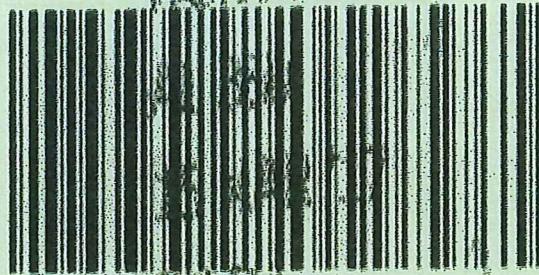
2013 1710 0000 7880 8355

## 3. Service Type

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Mail Restricted Delivery

DOCUMENT 6

USPS TRACKING #



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 2419 6249 2236 57

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box.

CASSANDRA "SAM" JOHNSON  
ETOWAH COUNTY CIRCUIT CLERK  
801 FORREST AVE - SUITE 202  
GADSDEN, ALABAMA 35901

